

# Town of Thorndike

## Entrance Permit Application

<b>Office use only</b>	Town Clerk Initials _____	Application # _____
<input type="checkbox"/> Application fee received by the Town Clerk	_____	Date: _____

Applicant Name: \_\_\_\_\_ Date of Application: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Best time to call: \_\_\_\_\_

Location of proposed entrance construction:

Road name: \_\_\_\_\_ State Road  yes  no

Brief description of location: \_\_\_\_\_

\_\_\_\_\_

Road Maintenance Status	<input type="checkbox"/> Fully Maintained	<input type="checkbox"/> Discontinued	<input type="checkbox"/> Not Plowed
	<input type="checkbox"/> Abandoned	<input type="checkbox"/> Private	

Entrance type: <input type="checkbox"/> Driveway	<input type="checkbox"/> Farm/Logging Road (no structures accessed)
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Permit Type: <input type="checkbox"/> New entrance Installation	<input type="checkbox"/> Alteration of existing entrance
	Check all that apply: <input type="checkbox"/> Grade change <input type="checkbox"/> Drainage change
	<input type="checkbox"/> Widening <input type="checkbox"/> Paving

Length of proposed entrance: \_\_\_\_\_ Proposed entrance surface: \_\_\_\_\_

Proposed entrance contractor: \_\_\_\_\_ Width of proposed entrance: \_\_\_\_\_

Date when applicant desires to undertake entrance construction \_\_\_\_\_

**Attach proof of Right/Title/Interest in property and Maine DOT Entrance Permit if on State Road**

**By signing below, the applicant certifies that:**

- A. All information presented in this application is a true presentation of existing conditions and proposed activity;
- B. the applicant has legal right to conduct the proposed activity on the named property;
- C. they will notify the Road Commissioner at least 24 hours before starting work on the
- D. if approved, the entrance will be built and maintained in accordance with all ordinance provisions and permit conditions; and
- E. the Town of Thorndike will be indemnified and held harmless from all suits, claims, damages and proceedings of every kind arising out of the construction and maintenance of said entrance approach, including snow removal.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

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Driveway permits are required before new entrances are constructed or before existing gravel entrances are paved. Only entrances providing access from a public road require a permit

Note 1: Applicants for proposed entrances that will provide access to Routes 139 or 220 must also obtain an *Entrance Permit from the Maine Department of Transportation* in Rockland prior to construction. Culverts and sight distance on these roads are governed by the State, rather than the Town. Town permits for driveways accessing Route 139 or 220 will be granted based upon satisfying Subsections H.1.b), d) and e) below.

Note 2: A person proposing to build an entrance that may eventually serve over two lots and therefore become classified as a road should consult the Road Ordinance for the *Town of Thorndike* for possible future relevancy.

Note 3: A person wishing to build an entrance involving a stream crossing must obtain a Natural Resources Protection Act permit from the *Maine Department of Environmental Protection*.

#### 1. New Entrances

For new entrances, the road commissioner shall conduct a site visit of the property and issue an entrance permit if (s)he finds that the following conditions are met:

- a) Adequate sight distance of 10 times speed limit in feet (45 mph zone requires 450 feet) of visibility in each direction. This shall be measured from where the driver's seat of a vehicle would be situated twenty feet from the edge of the shoulder, with the height of eye at 3<sup>1/2</sup> feet, to the top of an object at 4 1/2 feet above the pavement.

Due to unique circumstances of the land and existing conditions, the road commissioner may grant an entrance permit by special exception if the following conditions are all met:

- i) that the entrance is located and designed in the safest possible manner along available road frontage (may not be the applicant's preferred location);
  - ii) that the applicant agrees to remove any trees, brush, rocks or other physical obstacles to achieving the desired sight distance that are possible to remove (this may involve negotiations with neighboring landowners); and
  - iii) that the road commissioner finds that the entrance will not create a hazard to the traveling public.
- b) The applicant shall agree that the 20 feet of the entrance closest to the public road intersection shall be constructed with at least 12" of gravel base and 12 feet of traveled way to support emergency vehicles. The same 20 feet of the entrance shall also have a graded road crown of 1/4" per foot such that drainage will neither erode the entrance nor wash directly onto the public road. If possible, the should be constructed so that at least the 2 feet closest to the intersection continues the slope created by the crown of the public road being entered to keep drainage from damaging the public road.
  - c) The applicant shall agree to purchase and install an adequate culvert as directed by the road commissioner, unless deemed to be unnecessary by the road commissioner.
  - d) Entrances and right-of-ways over 150 feet long must have an adequate place for emergency vehicles to turn around.

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### Requirements - Page 2 of 2

- e) Entrances and rights-of-way that are over 300 feet long must have one of the following provisions for emergency vehicle access:
- i) 12 foot traveled way and 12" of gravel base; OR
  - ii) a signed statement from the Fire Chief or designee stating that the proposed entrance design, with specific reference to the proposed base material, appears adequate for emergency vehicle access (*Process: Apply for an emergency vehicle access evaluation at the town office. A fee of \$15, payable to the Town of Thorndike, shall be charged for an emergency vehicle access evaluation. The Selectmen shall transfer all such fees collected to the Thorndike Volunteer Fire Department Fireman's Account no less than annually. Upon receipt of an application, the Town Clerk shall notify the Fire Chief who shall see that a Fire Department representative contacts the applicant to make a site visit appointment. The Fire Chief or designee will inspect the site and proposed road design and may approve a waiver from the travel way and/or gravel standards if he or she feels that the proposed road design is adequate for emergency vehicle use.*) OR
  - iii) A signed statement from the applicant acknowledging that emergency vehicle access over the proposed entrance may be impossible, involving above average risk to life and property on the site.

### 2. Altering Existing Entrances

- a) For existing driveway entrances that are to be paved, widened, or altered in grade or drainage, the road commissioner shall conduct a site visit of the property and issue an entrance permit if he or she finds that all criteria are met; however, it is provided that the road commissioner may grant an entrance permit by special exception pursuant to Section H.1.a.
- b) For existing farm/logging road entrances that are being upgraded to driveway entrances (serving 1 or more structures), all applicable criteria in Section H.1 must be addressed.
- c) For existing farm/logging road entrances that are being altered but remaining as farm/logging road entrances, criteria H.1.a and H.1.c must be addressed.

### 3. Permit Denials

If any of the applicable conditions are not met, the road commissioner shall deny the entrance permit application. If the applicant feels that the road commissioner has erred in his or her interpretation of this ordinance, the applicant may file an administrative appeal with the Board of Appeals. If the applicant feels the denial of an entrance permit creates an undue hardship, the applicant may request a variance from the Board of Appeals (Section Q).

Any drainage or sedimentation that originates from a parcel of private land that either (a) presents a public hazard, or (b) causes damage to the public road system, shall be considered a violation of this ordinance subject to the enforcement provisions in Section N of this ordinance.

Either the road commissioner or the Board of Selectmen may identify a violation under this section and must provide a written notice of violation and order to remediate the damaging condition, including the standard of repair required. Depending upon its severity, the landowner will be given 2-10 days to correct the situation or present a plan for corrective action with a timeline. Failure to do so constitutes a violation of this ordinance, accept or reject the corrective action plan, depending on the severity of the circumstances and show of good faith by the landowner. Following notification, if action is not taken by the landowner in the named timeframe, the road commissioner is authorized to take corrective action within the public right-of-way (e.g. rerouting drainage and/or regrading) and present a bill for the work to the landowner. Any bill that remains unpaid on the date the Town's property taxes are due will be considered delinquent. In the event the bill remains unpaid, the Town may petition a court for authorization to file a lien against the property for the unpaid amount, plus costs and legal fees.